



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 21, 1998

**VIA FAX and FIRST-CLASS MAIL**

David Lenefsky, Esquire  
18 East 48th Street  
New York, N.Y. 10017

Re: Mr. Richard Morris (MURs 4407 and 4544)

Dear Mr. Lenefsky:

On June 8, 1998, the Commission received the response to the Subpoena and Order issued to your client, Mr. Richard Morris, in the above-referenced matters.

The Office of General Counsel has reviewed the response and has determined that it is inadequate and non-responsive for the following reasons:

- (1) The response is not made under oath. See Subpoena and Order, p. 1, ¶ 2 ("Such answers must be submitted under oath . . . ");
- (2) The response fails to respond to Document Requests 1-6;
- (3) Some answers to Interrogatories are insufficient, as described in detail below.

We request that your client provide to the Commission further responses, under oath, to each Document Request and each Interrogatory contained in the Subpoena and Order.

With respect to the Document Requests, if your client does not have document(s) which satisfy a particular Document Request, he must state under oath that he does not have such document(s). We note that in his deposition before the United States House of Representatives, Committee on Government Reform and Oversight, your client testified that he had "an incomplete set of agendas for the Oval Office, for the Wednesday night meetings." Based on this Office's understanding of the matters addresses at these "Wednesday night meetings" we believe that the agendas are responsive to the Document Requests. Likewise, a September 18, 1997 column in the Washington Post, titled Papers Show Use of DNC Ads To Help Clinton, refers to a series of memoranda from your client to President Clinton which appear to be responsive to the

Commission's Document Requests. Obviously, to the extent these documents are no longer in the possession, custody or control of your client, he is not required to produce them to the Commission.

With respect to Interrogatories 1-4, 5b, 10, and 11, your client is required to identify "each and every person who has knowledge or information . . ." References to "the entire SKO staff," "members of the SKO staff," and "the negative research staff of the DNC" are insufficient. See Subpoena and Order, p. 5 ("Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, . . ."). With respect to Interrogatories 1-4, 5b, 6, 7, 10, and 11, your client is required to provide all of the required information, such as the most recent business and residential address for each identified individual, not just the names of particular individuals. *Id.*

With respect to Interrogatory 5, your client is required to provide the detailed information stated at Interrogatory Subsections 5a-e. References to "weekly strategy meetings with the President and 17 others," "twice-weekly creative meetings," and "discussion by telephone or in person" are insufficient. If your client possesses only some of the required information, then he should specifically state the available information for each conference call, telephone and in person conversation, as well as for each individual.

Additionally, with respect to Interrogatory 5c, your client's statement "no notes were kept" is unclear. We request that your client clarify whether he means that he took no notes, that no meeting participant took notes, or that notes were taken, but were thereafter destroyed.

Finally, this Office has not yet received a statement signed by Mr. Morris designating you as his counsel. Please forward a designation of counsel immediately.

If you have any questions, you may contact me at (202) 694-1650.

Sincerely,



Joel J. Roessner  
Attorney